

# SENATE BILL NO. 477

May 25, 2021, Introduced by Senators HOLLIER, BULLOCK, CHANG, GEISS, IRWIN, MOSS, ANANICH, BRINKS, WOJNO, HERTEL, POLEHANKI and BAYER and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1947 PA 336, entitled

"An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations,"

by amending section 11 (MCL 423.211).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        Sec. 11. ~~(1) Representatives~~ **A representative** designated or  
 2        selected for purposes of collective bargaining by the majority of  
 3        the public employees in a unit appropriate for ~~such~~ **those** purposes  
 4        ~~, shall be~~ **is** the exclusive ~~representatives~~ **representative** of all  
 5        ~~the public~~ **its member** employees in ~~such~~ **the** unit for the purposes  
 6        of collective bargaining in respect to rates of pay, wages, hours  
 7        of employment, or other conditions of employment, and ~~shall~~ **must** be  
 8        ~~so~~ recognized **as the exclusive representative** by the public  
 9        employer. ~~÷ Provided, That any~~ **However, an** individual employee ~~at~~  
 10       ~~any time~~ may present grievances to his **or her** employer and have the  
 11       grievances adjusted, without intervention of the bargaining  
 12       representative. ~~, if~~ **If the employee is a member of the bargaining**  
 13       **representative**, the adjustment ~~is~~ **must** not **be** inconsistent with the  
 14       terms of a collective bargaining contract or agreement then in  
 15       effect, ~~provided that~~ **and** the bargaining representative ~~has been~~  
 16       **must be** given opportunity to be present at ~~such~~ **the** adjustment.

17        (2) **A bargaining representative does not have a duty to**  
 18        **represent a public employee who is a member of the bargaining**  
 19        **representative in a grievance proceeding if all of the following**  
 20        **conditions are met:**

21        (a) **The public employee is a public police employee.**

22        (b) **A disciplinary action taken against the public employee is**  
 23        **the issue of the grievance proceeding.**

24        (c) **The bargaining representative determines that contesting**  
 25        **the disciplinary action described in subdivision (b) would be**  
 26        **without merit.**

27        Enacting section 1. This amendatory act takes effect 90 days  
 28        after the date it is enacted into law.